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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,766	07/23/2003	Michael Gong	BSG P64AUS	7846

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EXAMINER

SWENSON, BRIAN L

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/625,766

Applicant(s)

GONG ET AL.

Examiner

Brian Swenson

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-11, 13-16 and 19 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/23/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: line 5, paragraph [022] states "A long slot 375 (Figure 1) is", the long slot 375 is not shown or labeled in Figure 1. The long slot is found in Figure 3, the examiner suggests –A long slot 375 (Figure 3) is–.

Appropriate correction is required.

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Specifically claim 12 is missing and is treated as being cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 8-10, 13-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,865,447 issued to Huang in view of U.S. Patent No. 6,416,076 issued to Hou et al.

Huang teaches in Figures 1-9 and respective portions of the specification of a: baby carriage chassis (Figure 8) adapted to support a baby's car seat (Figure 9) having a latch (231) having front and rear retaining portions, the chassis comprising: a main frame including front legs, back legs, a handle, a set of wheels (see Figure 9).

Huang does not show a seat for seating a child with the car seat removed.

Hou et al. teaches in Figures 1-6 and respective portions of the specification of a: collapsible stroller, including teaching of a support member (19) that includes two vertical support rods attached to the main frame of the stroller with pivot coupling (17) fastened to a seat support member for adjusting the inclination of the support member. Hou et al. teaches that a fabric seat is provided; see at least Col. 3, lines 40-56.

It would have been obvious to one having ordinary skill in the art at the time of invention to provide the pivoting support member and seat as taught by Hou et al. in the invention taught by Huang. It would also have been obvious to one having ordinary skill in the art at the time of invention to utilize the pivoting support member to support the front portion of the car seat in the invention taught by Hou et al. One would be motivated to provide a seat to allow stroller to be used for a child without the car seat attached.

In regards to claims 8 and 19, Hou et al. doesn't show the catch for positioning of the support member (19). It would have been obvious to one having ordinary skill in the art at the time of invention to use a similar catch, as shown in Figure 5 ('076) in the invention taught by Huang and as modified by Hou et al. One would be motivated to

use the catch to positively position the inclination of the support member as taught by Hou et al. in Col. 3, line 43.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Hou et al. and in further view of U.S. Patent No. 4,921,261 issued to Sadler, Jr. et al.

Huang as modified by Hou et al. disclose the claimed invention except for showing a safety belt attached to the chassis.

Sadler Jr. et al. teaches in Figures 1-4 and respective portions of the specification of an infant seat attached to a stroller with a safety belt (16; Figure 1). It would have been obvious to one having ordinary skill in the art at the time of invention to use a safety belt as taught by Sadler Jr. et al. in the invention taught by Huang as modified by Hou et al. One would be motivated to use a safety belt for attachment to provide a secure attachment for the car seat that uses the car seats inherent belt attachment for when the child's seat is used in an automobile.

Allowable Subject Matter

5. Claims 6-7 and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the primary reason of the indication of allowable subject matter in this case is the inclusion of a slot formed within the front support frame for engaging with a

horizontal rod formed in the back support member, in combination with the other elements recited not found in the prior art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,802,514 issued to Worth et al. teaches of a stroller with a V-shaped attachment for a car seat.

U.S. Patent No. 5,833,261 issued to Brown et al., U.S. Patent No. 4,736,959 issued to Van Steenburg and U.S. Patent No. 6,581,957 issued to Lan teach of strollers with pivotal backrests.

U.S. Patent No. 6,398,233 issued to Liang et al. teach of a stroller with car seat attachment.

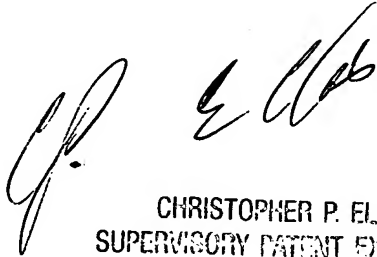
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Swenson whose telephone number is (703) 305-8163. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (703) 305-0168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


bls

Brian Swenson
Examiner
Art Unit 3618


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